IN THE HIGH COURT OF BOMBAY AT GOA
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WRIT PETITION NO. 146 OF 2001

Shri Francisco Xavier
Fernandes, r/o House
bearing No.343, Bogda,
Vasco da Gama, Goa. ... Petitioner

Versus

1. Member-Secretary,
Vasco Planning & Deve-
lopment Authority,
Vasco da Gama, Goa,

2. The Mormugao Municipal
Council, through its
Chief Officer, having
his office at Vasco da
Gama, Goa, and

3. The Director of Municipal
Administration, Government
of Goa, Panaji, Goa. ... Respondents.

Shri V. Menezes, advocate for the petitioner.

Shri M. Pereira, advocate for the respondent no.1(absent).

Shri S.D. Padiyar, advocate for the respondent no.2.

CORAM : P. V. HARDAS &
D. G. KARNIK, JJ.

DATE : 22nd April, 2004.

ORAL JUDGMENT (Per Hardas, J.)

Shri S.D. Padiyar, learned counsel for respondent no.2 states that the illegal construction in respect of which the present petition has been filed, was demolished and subsequently it was reconstructed. The reconstruction which was done is not the subject-matter of the petition. However, ultimately the said reconstruction has been regularized by the Vasco da Gama Planning and Development Authority by Order dated 11th March, 2004 and, therefore, it is submitted that

the petition has become infructuous. Shri Menezes, learned counsel appearing for the petitioner, in view of this states that the petitioner may be permitted to withdraw the petition. Petition dismissed as withdrawn with no order as to costs. Rule discharged.

P. V. HARDAS, J.

D. G. KARNIK, J.

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